

**MINUTES OF PUBLIC MEETING  
FOR THE CORRECTIONS OFFICER RETIREMENT PLAN LOCAL BOARD  
FOR THE JUDICIARY**

A Public Meeting of the Corrections Officer Retirement Plan Local Board for the Judiciary was convened Tuesday, July 6, 2021 at 10:00 a.m., Conference Room 109, Arizona State Courts Building, 1501 West Washington Street, Phoenix, Arizona.

**Board Members Present in Conference Room 109:** N/A

**Board Member Present by Conference/Video Call:** Jason Hathcock (Acting Chair); Jennifer Fish; Scott Mabery; Mark Smalley

**Board Member Absent:** Kevin Kluge, Chair

**Also Present in Conference Room 109:** Vanessa Haney, Local Board Secretary (video call); Alicia Bocardo, Recorder (video call); Cynthia Kelley, Board Attorney (video call)

**Call to Order:**

**Approval of the Minutes:**

June 1, 2021 – Public Meeting Minutes

**MOTION: A motion to approve the public minutes of the June 1, 2021 meeting was made by Jennifer Fish.** The motion was seconded and passed unanimously; minutes stand approved.  
**CORP 2021-29**

**Consideration of Disability Applications:**

Disability Application #21-01 – IME Decision

The Board received Application #21-01 for Accidental Disability benefits from Michael Zukowski on June 2, 2021.

The applicant was a Pinal County Adult Probation Officer with 7.140 years of credited service with CORP and terminated employment with the county on July 1, 2021.

The applicant identified the disabling conditions as: “neck injury due to head on vehicle collision” while on duty”

The applicant was notified via certified letter that the Board would consider the application at this meeting and of the applicant’s right to attend.

The applicant initialed the Waiver of Confidentiality provision, to allow discussion of the medical condition in open public meeting.

The applicant's physical exam dated May 20, 2011<sup>14</sup> was provided. The exam report did not identify any pre-existing conditions.

The applicant provided medical reports of findings and treatment with the application. The application and medical reports were provided to the Board. The criteria for Accidental Disability benefits per A.R.S. §38.881 are: "Accidental disability" means a physical or mental condition that the local board finds totally and permanently prevents an employee from performing a reasonable range of duties within the employee's department and was incurred in the performance of the employee's duties."

A copy of A.R.S. §38-886 governing Local Board consideration of applications for Accidental Disability was included for reference purposes.

The Local Board Secretary informed the Board that Mr. Zukowski was present via conference call.

Board member Mark Smalley stated that the medical records indicate a history of existing neck pain pre-dating the collision. He asked the applicant to explain the background.

Mr. Zukowski informed the Board that the prior neck pain was related to an injury incurred during his time in the military. The applicant noted that the areas of pain as indicated in the medical records were not the same as those related to the accidental disability. Mr. Zukowski further added that documentation for his (C1) previous injury could be provided to reflect that it had no implication on his currently (C3, C4) areas of injury.

Board member Jennifer Fish inquired if staff could inform the IME doctor about the neck pain distinction when scheduling the appointment.

The Local Board Secretary informed the Board that she could include that in the memo to the scheduling agency.

The Acting Chair Jason Hathcock stated that Mr. Zukowski submitted his application in a timely manner and that he provided enough medical evidence to support sending the applicant for an Individual Medical Evaluation.

**MOTION: A motion to refer Applicant #21-01 for an Independent Medical Evaluation for Accidental Disability with the memo of previous injury distinction as discussed was made by Mark Smalley. The motion was seconded and passed unanimously. CORP 2020-30**

#### **Approval of Normal Retirement Benefits:**

There were two applications for Normal Retirement benefits submitted for the Board's approval pursuant to A.R.S. § 38-893 (D).

**MOTION: A motion to approve the payment of Normal Retirement benefits to the following applicants in about the following amount effective July 1, 2021 was made by Scott Mabery. The motion was seconded and passed unanimously. CORP 2021-31**

Michelle Hart	\$5,014.55
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Cheryl Starky

\$4,792.20

**Approval of Membership:**

The Local Board voted on the approval of the following requests for membership:

Bonilla, Kevin	Mohave	5/30/2021
Bracewell, Shannon	Yavapai	6/5/2021
Brown, Jerry	Maricopa	5/16/2021
Calma, Ernest	Mohave	5/30/2021
Diaz, Valeria	Yuma	5/23/2021
Hearns, Madison	Maricopa	5/11/2021
Leon, Cristina	Yuma	4/25/2021
Mangjham, Douglas	Pima	5/23/2021
McGuire, Erick	Maricopa	6/6/2021
Merriman, Shawn	Pinal	4/25/2021
Noland, Mason	Maricopa	5/30/2021
Ochoa, Hector	Pima	6/13/2021
Ortiz, Faviola	Maricopa	5/9/2021
Peralta, Tasha	Coconino	6/6/2021
Ryberg, Jessica	Yavapai	6/6/2021
Street, Ashley	Maricopa	5/17/2021
Valentin, Courtney	Maricopa	4/4/2021
Valles, Kaitlyn	Pinal	6/6/2021
Zucker, Ashlee	Navajo	4/18/2021

**MOTION: Jennifer Fish moved to approve the seven applicants listed on the agenda for this meeting for membership in CORP pursuant to A.R.S. §38-893.D and to note for the record that the physical examinations for Shannon Bracewell, Madison Hearns, Erick McGuire, Shawn Merriman, Faviola Ortiz, Tasha Peralta, and Ashlee Zucker identified a physical or mental condition or injury that existed or occurred before their date of membership in the plan. The motion was seconded and passed unanimously. CORP 2021-32**

**Approval of Survivor Benefit:**

An application for a survivor benefit was submitted for the Board's approval pursuant to A.R.S. §38-887.

Frederick Willyerd (Retired Member - deceased June 8, 2021)

Benefit Payable to Spouse Nancy Willyerd beginning July 31, 2021: \$2,649.80

**MOTION: A motion to approve the payment of a survivor benefit to the following applicant in about the following amount was made by Mark Smalley. The motion was seconded and passed unanimously. CORP 2021-33**

Frederick Willyerd (Retired Member - deceased June 8, 2021)  
Benefit Payable to Spouse Nancy Willyerd beginning July 31, 2021: \$2,649.80

**Future Agenda Items:**

Staff informed the Board that a request was submitted to PSPRS for an active member report in preparation of the 2021 CORP Local Board Audit.

**Call to the Public:**

No members of the public addressed the Board.

The meeting was adjourned at 10:18 a.m.

Transcribed July 8, 2021.